

**ASSEMBLY, No. 1740**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex and Morris)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

**Assemblywomen Timberlake, Haider and Park**

**SYNOPSIS**

Permits counties and municipalities to bond for passenger cars and station wagons solely fueled by electric or renewable power sources.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/17/2022)**

1 AN ACT concerning local bonds and amending N.J.S.40A:2-22.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
4 *of New Jersey:*

5

6 1. N.J.S.40A:2-22 is amended to read as follows:

7 40A:2-22. The governing body of the local unit shall determine  
8 the period of usefulness of any purpose according to its reasonable  
9 life computed from the date of the bonds, which period shall not be  
10 greater than the following:

11 a. Buildings and structures.

12 1. Bridges, including retaining walls and approaches, or  
13 permanent structures of brick, stone, concrete or metal, or similar  
14 durable construction, 30 years.

15 2. Buildings, including the original furnishings and equipment  
16 therefor:

17 Class A: A building, of which all walls, floors, partitions, stairs  
18 and roof are wholly of incombustible material, except the window  
19 frames, doors, top flooring and wooden handrails on the stairs, 40  
20 years;

21 Class B: A building, the outer walls of which are wholly of  
22 incombustible material, except the window frames and doors, 30  
23 years;

24 Class C: A building which does not meet the requirements of  
25 Class A or Class B, 20 years.

26 3. Buildings or structures acquired substantially reconstructed  
27 or additions thereto, one-half the period fixed in this subsection for  
28 such buildings or structures.

29 4. Additional furnishings, five years.

30 b. Marine improvements.

31 1. Harbor improvements, docks or marine terminals, 40 years.

32 2. Dikes, bulkheads, jetties or similar devices of stone,  
33 concrete or metal, 15 years; of wood or partly of wood, 10 years.

34 c. Additional equipment and machinery.

35 1. Additional or replacement equipment and machinery, 15  
36 years.

37 2. Voting machines, 15 years.

38 3. Information technology and telecommunications equipment,  
39 7 years, except that for items with a unit cost of less than \$5,000, 5  
40 years.

41 d. Real property.

42 1. Acquisition for any public purpose of lands or riparian  
43 rights, or both, and the original dredging, grading, draining or  
44 planting thereof, 40 years.

45 2. Improvement of airport, cemetery, golf course, park,  
46 playground, 15 years.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1       3. Stadia of concrete or other incombustible materials, 20  
2 years.
- 3       e. Streets or thoroughfares.
- 4       1. Elimination of grade crossings, 35 years.
- 5       2. Streets or roads:
- 6       Class A: Rigid pavement. A pavement of not less than eight  
7 inches of cement concrete or a six-inch cement concrete base with  
8 not less than three-inch bituminous concrete surface course, or  
9 equivalent wearing surface, 20 years.
- 10       Flexible pavement. A pavement not less than 10 inches in depth  
11 consisting of five-inch macadam base, three-inch modified  
12 penetration macadam and three-inch bituminous concrete surface  
13 course or other pavements of equivalent strength, in accordance  
14 with the findings of the American Association of State Highway  
15 Officials (AASHO) Road Test, 20 years.
- 16       Class B: Mixed surface-treated road. An eight-inch surface of  
17 gravel, stone or other selected material under partial control mixed  
18 with cement or lime and fly ash, six inches in compacted thickness  
19 with bituminous surface treatment and cover, 10 years.
- 20       Bituminous penetration road. A five-inch gravel or stone base  
21 course and a three-inch course bound with a bituminous or  
22 equivalent binder, 10 years.
- 23       Class C: Mixed bituminous road. An eight-inch surface of  
24 gravel, stone, or other selected material under partial control mixed  
25 with bituminous material one inch or more in compacted thickness,  
26 five years.
- 27       Penetration macadam road. A road of sand, gravel or water-  
28 bound macadam, or surfacing with penetration macadam, five years.
- 29       3. Sidewalks, curbs and gutters of stone, concrete or brick, 10  
30 years.
- 31       The period of usefulness in this subsection shall apply to  
32 construction and reconstruction of streets and thoroughfares.
- 33       f. Utilities and municipal systems.
- 34       1. Sewerage system, whether sanitary or storm water, water  
35 supply or distribution system, 40 years.
- 36       2. Electric light, power or gas systems, garbage, refuse or ashes  
37 incinerator or disposal plant, 25 years.
- 38       3. Communication and signal systems, 10 years.
- 39       4. House connections to publicly-owned gas, water or sewerage  
40 systems from the service main in the street to the curb or property  
41 lines where not part of original installation, five years.
- 42       5. House connections to publicly-owned water systems, from  
43 the distribution main onto privately-owned real property and into  
44 the privately-owned structure, for the purpose of replacing lead-  
45 contaminated house connections, so long as the project is (a)  
46 undertaken as an environmental infrastructure project, as defined  
47 under section 3 of P.L.1985, c.334 (C.58:11B-3), and (b) funded  
48 either by loans from the New Jersey Infrastructure Bank, created

1 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4), or by loans  
2 issued through the Department of Environmental Protection, 30  
3 years.

4 g. Vehicles and apparatus.

5 1. Fire engines, apparatus and equipment, when purchased  
6 new, but not fire equipment purchased separately, 10 years.

7 2. Automotive vehicles, including original apparatus and  
8 equipment ( **【other than】** excluding passenger cars and station  
9 wagons that are not solely fueled by a battery or equivalent energy  
10 storage device charged from an electricity supply external to the  
11 vehicle or by a renewable power source ), when purchased new,  
12 five years.

13 3. Major repairs, reconditioning or overhaul of fire engines and  
14 apparatus, ambulances, rescue vehicles, and similar public safety  
15 vehicles ( **【other than】** excluding passenger cars and station wagons  
16 that are not solely fueled by a battery or equivalent energy storage  
17 device charged from an electricity supply external to the vehicle or  
18 by a renewable power source ) which may reasonably be expected  
19 to extend for at least five years the period of usefulness thereof, five  
20 years.

21 h. The closure of a sanitary landfill facility utilized, owned or  
22 operated by a county or municipality, 15 years; provided that the  
23 closure has been approved by the Board of Public Utilities and the  
24 Department of Environmental Protection. For the purposes of this  
25 subsection "closure" means all activities associated with the design,  
26 purchase or construction of all measures required by the  
27 Department of Environmental Protection, pursuant to law, in order  
28 to prevent, minimize or monitor pollution or health hazards  
29 resulting from sanitary landfill facilities subsequent to the  
30 termination of operations at any portion thereof, including, but not  
31 necessarily limited to, the costs of the placement of earthen or  
32 vegetative cover, and the installation of methane gas vents or  
33 monitors and leachate monitoring wells or collection systems at the  
34 site of any sanitary landfill facility.

35 i. (Deleted by amendment, P.L.2007, c.62.)

36 j. The prefunding of a claims account for environmental  
37 liability claims by an environmental impairment liability insurance  
38 pool pursuant to P.L.1993, c.269 (C.40A:10-38.1 et al.), 20 years.  
39 (cf: P.L.2018, c.114, s.4)

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41 2. This act shall take effect immediately.

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#### STATEMENT

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46 This bill would permit counties and municipalities to issue bonds  
47 to acquire certain environmentally friendly passenger cars and station  
48 wagons.

1       Under current law, counties and municipalities may only issue  
2 bonds to finance certain projects having a period of usefulness of at  
3 least five years. Additionally, the Local Bond Law, N.J.S.40A:2-1 et  
4 seq., specifically excludes passenger cars and station wagons from the  
5 category of newly purchased automotive vehicles that are deemed to  
6 have a maximum period of usefulness of five years.

7       The bill would amend this exclusion in the Local Bond Law in  
8 order to allow permit counties and municipalities to bond for  
9 passenger cars and station wagons that are solely fueled by a battery or  
10 equivalent energy storage device charged from an electricity supply  
11 external to the vehicle or by a renewable power source. Other  
12 passenger cars and station wagons would continue to be excluded.